

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building – Selectmen's Meeting Room
100 Maple Avenue
Monday, February 24, 2003 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux and Daniel Morgado, Town Manager. Mr. Fiore, Chairman, called the meeting to order at 7:00 pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0365 in the amount of \$1,443,174.62, #0367 in the amount of \$269,313.56, #0368 in the amount of \$1,441,389.23 and #0370 in the amount of \$8,580,104.13. Motion was made, seconded and unanimously voted to approve.
2. Approve Minutes of February 10, 2003. Motion made, seconded and unanimously approved.
3. Announcements – Mr. DePalo reported that he had reason to use our Emergency Response System recently and that the service was great - fast and professional. He also reported that the meeting last Saturday with our elected representatives from the state and federal levels was the best meeting of this kind so far. We have established a good dialogue with the delegation. Mr. Fiore announced that Parks & Recreation will be holding spring registration on Saturday, March 8th from 8:00am-10:00am at their office in the Town Hall. Brochures will be going home through the public school system this week. Early registration for seniors, age 62 and older, will be held on Thursday, March 6th during normal business hours at their Town Hall office.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

5. 7:30pm – Discussion Article 18–Town By-Law, Water Restriction & Act on Policy 14–Water Conservation Fee – Robert Tozeski. Mr. Lebeaux recused himself from the discussion citing possible conflict of interest. Mr. Tozeski was present and reviewed the previous meeting on water conservation and establishment of a fee for new connections to the Town system. Motion was made to adopt Policy #14 - Water Conservation Fee. Motion was approved with four in favor and one abstention. Mr. Tozeski reviewed the revised water use by-law which will appear as Article 18 on the Special Town Meeting Warrant. He advised the Board that the by-law had been completely restructured. Board will vote on this Article when the March 24, 2003 Special Town Meeting Warrant is reviewed later during this meeting.

Public Hearings:

6. 7:00pm – Cable Television License Renewal. Thomas Josie, SELPSCC General Manager, Clifford Jefferson, Jr., and Light Commission members and employees of SELPSCC were present. Mr. Fiore reviewed the previous meeting with Shrewsbury Cable on January 13th regarding this matter and asked Mr. Josie for an update. Mr. Josie said that material answering questions raised by the Board at the earlier meeting had been distributed as requested and he was now asking for the Board's approval of the Cable License this evening. He reviewed the application and advised the Board that the policy to provide free service to public access channels to non-subscribers would be discontinued. All those presently getting this service would be grandfathered but it will no longer be offered to new residents requesting this service. He continued that approximately ten residents presently receive this service. This action will reduce costs and added the cable company was getting competition from satellite dishes which were not available when the policy was first initiated and this step will help the company financially in that respect. He added that at present Shrewsbury Community Cablevision gives 5% of its total revenues to the town as a franchise fee, more than other private cable companies. Mr. Fiore opened the hearing to the public. Employees of the public access studio spoke in favor of adding additional staff as public access channels have increased from one to three and programming has increased six fold since it began. Residents spoke in favor of keeping the free service to public access channels for non-subscribers and increasing staff of Shrewsbury Cablevision. Questions were also asked about payment in lieu of taxes and channel selection determination. After a discussion, motion was made, seconded and unanimously voted to close the hearing. The Board decided to postpone a vote until the March 10th in order to look into the questions raised by residents.

7. 7:15pm - Enterprise Rent-a-Car, 800 Hartford Turnpike, Stuart J. Stumpf, Mgr., Class II License. Hours of operation: Monday-Friday 8:00am-7:00pm, Saturday, 9:00am-4:00pm. Richard Ricker, attorney representing Enterprise and Pamela Roy, Regional Group manager, were present. Mr. Fiore recused himself citing appearance of conflict of interest and Mr. DePalo assumed the chair. Mr. Ricker advised the Board that Mr. Stumpf was out of town and unable to be present. He outlined Enterprise's plans for the property noted that this is a perfect location for this type of operation. Nothing other than cosmetics are planned for the building and the total number of vehicles on the site would range between 50-75 taking into consideration rental cars that were being returned. Nation's Rent, the present tenant, will be moving their operations to the side and rear of the building and Enterprise will be occupying the front area facing Route 20. Mr. Ricker advised the Board that his client was aware of the present limitation on Class II licenses. After questioning by the Board, Mr. DePalo opened the hearing to the public. A resident spoke in favor of adhering to the present policy limiting the number of Class II licenses. After a discussion, the Board continued the hearing until March 10, 2003 at 8:00pm.

Old Business:

8. Review and sign Special Town Meeting Warrant. Mr. Morgado advised the Board that this Warrant contained ten articles, six on zoning and four dealing with other things. Article 7 concerns to the connector road between route 20 and Grafton and Article 10 amendment of the water use restriction by-laws. Mr. Morgado advised the Board that a request has been made to include the parcels offered by the Corcoran family in this warrant rather than at the Annual Town Meeting in May. A stamped plan is needed before the parcels can be accepted for the warrant. It would become Article 11. Mr. Morgado said that there was a change on Article 7; Cherry Street should be changed to connector road. Motion was made to sign the warrant for the March 24, 2003 Special Town Meeting with the following changes, add Article 11 regarding three parcels of land from Corcoran family and change Article 7 replacing Cherry Street with connector road. Motion was seconded and unanimously voted to sign the warrant.

New Business:

9. Petition to place article on Annual Town Meeting Warrant to amend Article 9-C Unregistered Motor Vehicles. Send to Town Clerk for verification of signatures and place on Annual Town Meeting Warrant.
10. Town Manager Evaluation. Mr. Fiore announced that every year the Board evaluates the Town Manager and outlined the procedure for the evaluation. There are four sections in the evaluation and four categories are used, distinguished, excellent, good and less than satisfactory. Section I - out of a possible score of 36, Mr. Morgado received 31 with no negative comments. Section II - out of a possible score of 12, Mr. Morgado received 10 with no negative comments. Section III - out of 20, Mr. Morgado received 17 and in Section IV out of a possible score of 12 he received 9.2 with no negative comments in either section. His overall score is 3.7 out of a possible 4. The Board is extremely pleased with Mr. Morgado's performance and hopes he remains in Shrewsbury for many years to come. Mr. Morgado thanked the Board and said he owed much to the fine department heads and employees and volunteers in the Town of Shrewsbury for making his job easier. Mr. Fiore added that he would like to begin the process of reviewing the manager's contract which will expire this August and asked Mr. Card and Mr. Lebeaux to conduct the review and report back to the full Board at the March 10th meeting.
11. Petition to place article on Annual town Meeting Warrant to increase the retirement allowance of superannuation retirees who served for a period of not less than twenty-five years in accordance with MGL Chapter 32, Section 90C. Send to Town Clerk for verification of signatures and place on Annual Town Meeting Warrant.
12. Approve Laying Out of Connector Road (Cherry Street). Mr. Morgado advised that all the land deals are set. Mr. Lebeaux moved that, the Board pursuant to General Laws, Chapter 82, vote its intention to laying out and make public a proposed connector road to extend from Hartford Turnpike (Rte. 20) southerly to Pine Street located in the Town of Grafton as shown on the plan entitled "Plan of Land Showing Proposed Connector Road Pine Street to Route 20 Shrewsbury/Grafton MA prepared for Worcester Business Development Corporation" dated February 18, 2003 and any subsequent revisions and to schedule a public meeting on this subject for Monday, March 10, 2003 at 7:30pm in the Selectmen's Meeting Room. And further moved that the Board refer this matter to the Planning Board for its review and report thereon pursuant to General Laws Chapter 82. Motion was seconded and unanimously voted to approve. Mr. Morgado advised the Board that they also need to consider a name for this road and will send suggestions to them.

Mr. Lebeaux added that he would like to have a discussion on costs of licensing on a future agenda. Mr. Fiore said that there is an active subcommittee that can look into this (Mr. DePalo and Mr. Lebeaux). They will review and report to full Board.

Executive Session:

13. Collective bargaining and pending litigation. Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:21 pm and not to reconvene for the purpose of discussion of collective bargaining and pending litigation. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Hammond, yes, Mr. DePalo, yes, and Mr. Fiore, yes.

Communications:

14. Noted copy mailed: Notice from Dept. of Housing & Community Development re Downtown Workshops. Mr. Hammond asked if a representative should attend this workshop. Mr. Morgado will check.
15. Noted copy mailed: Shrewsbury Cultural Council Report 2002-03.
16. Noted copy mailed: E-mail from Howard Fease re Street Plowing.
17. Noted copy mailed: Letter from Mr. Morgado to Grafton Board of Water Commissioners re CenTech Park.
18. Noted copy mailed: Letter from Rep. Polito to MassHighway re Grafton Street Improvements Project.
19. Noted copy mailed: Notice from Mass. Producer Take Back Campaign re Computer Take Back Bill.
20. Noted copy mailed: E-mail from Dana Canzano, 6 Holman Heights Circle, re Water Conservation.
21. Noted copy mailed: Notice from Loitherstein Environmental of availability of Phase II Site Assessment & Phase III Action Alternatives & Remedial Action Plan for 32 Maple Avenue.
22. Noted copy mailed: Letter from Rep Polito to Exec. Office of Transportation & Construction re traffic noise study in area of Interstate 290 in Shrewsbury.
23. Noted copy mailed: Park & Recreation News for February 11, 2003.
24. Noted copy mailed: Snow Storm Reports February 1-2 and 7-8, 2003.
25. Noted copy mailed: E-mail from Paul Mandella re please no Prop. 2.5 overrides.
26. Noted copy mailed: Affiliate & Benefits Information from Corridor Nine Area Chamber of Commerce.
27. Noted copy mailed: Letter from D.E .P. re Minor Permit Modification Approval for Worcester Sand & Gravel.
28. Noted copy mailed: Letter from Rep. Polito to Mass Highway Dist. 3 re Route 9/Quinsigamond Avenue intersection. At this point we are waiting to see what happens with the state budget.
29. Noted copy mailed: E-mail from Daniel Prior, 17 Carter Road, re Request for Stop Signs. Forward to Chief Sampson for study and report.
30. Noted copy mailed: Mr. Morgado's response to J. Thomas Smith & Linda Calimeris.
31. Noted copy mailed: School Committee Meeting Minutes 1/8/03 & 1/22/03.
32. Noted copy mailed: Notice that Immediate Response Action Completion Statement has been filed with DEP for Waste Management, Inc./Shrewsbury Residue Landfill.
33. Noted copy mailed: Letter from Rep. Polito to Sec., Commerce & Labor re Town of Shrewsbury State Surplus Property.
34. Noted copy mailed: Request for a proclamation from Corridor Nine Area Chamber of Commerce noting Corridor Nine Chamber of Commerce Day. Motion was made, seconded and unanimously voted to endorse March 13, 2003 as Corridor Nine Area Chamber of Commerce Day.
35. Noted copy mailed: COA Board Meeting Minutes, 1/8/03.
36. Noted copy mailed: Westborough Treatment Plant Board Meeting Minutes, 1/8/03.
37. Noted copy mailed: ZBA Hearing Agenda, 3/5/02.
38. Noted copy mailed: USFilter Monthly Compliance Report: January 2003.
39. Noted copy mailed: Notice of Informal Discussion, Proposed Zoning Amendments. Mr. Fiore reported that a meeting was held today and that it went well.
40. Noted copy mailed: Memo from CMRPC Transportation Staff re The Development of the 2004 to 2007 TIP Document.
41. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, James Doherty, 86 Lakeside Drive.
42. Noted copy mailed: City & Town, Vol. 16, No. 2 – February 2003.
43. Noted copy mailed: E-mail from Melissa Hollenback, 38 Stoney Hill Road, re Water Usage & Recycling.
44. Noted copy mailed: E-mail from Tom Rooney, 5 Birch Lane, re Islamic School.
45. Noted copy mailed: Memo from Jack Perreault, Town Engineer, re Route 20 Traffic Study. Moving ahead with study and opportunity to look at improving Rte. 20 and spurring economic development.
46. Copy mailed: Notice of Open Public Meeting from CMRPC re The Development of the 2003 Regional Transportation Plan (RTP).

Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:26 pm not to reconvene for the purpose of discussing collective bargaining.

Respectfully submitted,

Janice C. McCoy
Secretary